

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
UNITED STATES DEPARTMENT OF ENERGY

AGREEMENT TO EXTEND DEADLINES

In consultation with the U.S. Environmental Protection Agency (EPA) and the State of Idaho, the U.S. Department of Energy (DOE) is proceeding with a removal action to retrieve transuranic and other waste from a portion of Pit 4 at Idaho National Engineering and Environmental Laboratory (INEEL) Subsurface Disposal Area (SDA). This action is expected to be consistent with and support the Record of Decision by Idaho Department of Environmental Quality (DEQ), EPA and DOE (collectively "the Agencies") for remedial action under the 1991 Federal Facility Agreement and Consent Order (FFA/CO) for Waste Areas Group (WAG) 7, Operable Unit (OU) 7-13/14.

The Agencies therefore find good cause to extend deadlines related to OU 7-13/14 pursuant to Paragraphs 13.1 and 13.2(e) of the FFA/CO. The Agencies hereby agree to extend as follows deadlines for OU 7-13/14 established in Paragraph 3.3.1-4 of the April 18, 2002 "Agreement to Resolve Disputes" (2002 Agreement), a settlement of disputes arising under the FFA/CO:

- DOE shall submit a Draft Remedial Investigation and Baseline Risk Assessment by no later than August 31, 2006.
- DOE shall submit a draft Feasibility Study by no later than December 31, 2006.
- DOE shall submit a Draft Proposed Plan by no later than March 31, 2007.
- DOE shall submit the Draft ROD for WAG 7 by no later than December 31, 2007.

In addition, the Agencies concur that good cause exists to extend the following deadline related to OU 7-10 (Pit 9) pursuant to Paragraphs 13.1 and 13.2(e) of the FFA/CO:

- Complete Remedial Design and commence construction (2002 Agreement Paragraph 3.2.2). The new deadline shall be March 31, 2008.

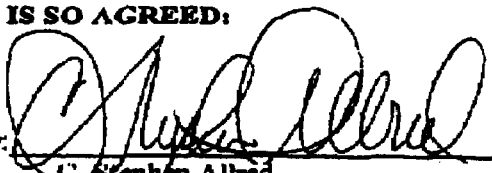
Further, the Parties recognize that the 10% Design for OU7-10 deadline (2002 Agreement Paragraph 3.2.1) was met by submission of the *Conceptual Design Report for the Accelerated Retrieval Project at Area G of Pit 4 within the Radioactive Waste Management Complex, ICP/EXT-03-00121*, dated January 2004 as modified by the *Excavation Plan and Sequential Process Narrative for the Accelerated Retrieval Project for a Described Area within Pit 4, ICP/EXT-04-00283*, dated April 2004, that DOE developed for the Pit 4 removal action.

This Agreement to Extend Deadlines does not affect or relate to any other provisions of the 2002 Agreement or other disputes between the Agencies, including but not limited to any

disputes related to the ultimate remedy for OU 7-13/14 or the terms and conditions of the 1995 Settlement Agreement in the consolidated case, Public Service Company of Colorado v. Batt, CV-91-0035-S-EJL and CV-91-0054-S-EJL.

This Agreement to Extend Deadlines shall not be admissible in any proceedings other than for their enforcement under the Agreement to Resolve Disputes and the FFA/CO; and it shall be effective upon signature by representatives of all three Agencies.


IT IS SO AGREED:

By: 
C. Stephen Allred
Director
Idaho Department of Environmental Quality

Date: 6/25/2004

IT IS SO AGREED:

By: _____


John Iani

Regional Administrator

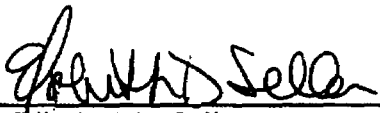
U.S. Environmental Protection Agency

Region 10

Date: _____

25 June 2005

IT IS SO AGREED:

By: 

Elizabeth D. Sellers
Manager
U.S. Department of Energy
Idaho Operations Office

Date: 6/25/09